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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/639,452	08/15/2000	Ronald Quan	196	2863

31665 7590 01/23/2006

PATENT DEPARTMENT
MACROVISION CORPORATION
2830 DE LA CRUZ BLVD.
SANTA CLARA, CA 95050

EXAMINER

VENT, JAMIE J

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental

Notice of Allowability

Application No.

09/639,452

Examiner

Jamie Vent

Applicant(s)

QUAN, RONALD

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to ____.
2. ☐ The allowed claim(s) is/are 3,6,7,8,9,10,16-18, 22, 24-25, 27-32,34-38,40,44-46, 50, 52-57,59-62, 64-67.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date ____. | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

DETAILED ACTION

Allowable Subject Matter

Claims 3.6,7,8,9,10,16-18, 22, 24-25, 27-32,34-38,40,44-46, 50, 52-57,59-62, 64-67 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Ryan et al (US 5,844,988) discloses a modification and lowering in level of the front porch area as seen in Figure 15b and 15c; however, Ryan et al is not prior art under 35 USC 103 with the instant application. Therefore the prior art of record fails to teach, disclose or suggest a **“method wherein the incorrect color burst signal is added to the at least a portion of a horizontal sync pulse, and the selected portion which is lowered in level is in at least a portion of the front porch area or in a portion of the active video toward the end of a video line”** as disclosed in Claims 3.6,7,8,9,10,16-18, 22, 24-25, 27-32,34-38,40,44-46, 50, 52-57,59-62, 64-67.

Wrobleski et al discloses a method for lowering the horizontal blanking interval and adding color bursts of incorrect phase or frequency (Column 12 Lines 5-45); however, fails to disclose the method of determining the average picture level which thereby adjusts the horizontal blanking level. Therefore, the prior art of record fails to teach, suggest, or disclose a method of **“adjusting the lowered levels of the portion of the horizontal blanking level and/or of the pseudo horizontal sync in response to the average picture level”** as disclosed in Claim 22.

Wrobleski et al additional discloses a method for enhancing chroma distortion consisting of lowering the level of selection portion of the horizontal blanking interval to a value lower than the respective level (Figure 1b). It is further seen the enhancements are made through color

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bursts which are placed in the back porch area as seen in Figure 2a; however, fails to add modifications to the front porch area. Therefore, the prior art of record fails to teach, suggest, or disclose a method of **“lowering the level of selected portion of the front porch area prior to the horizontal sync to a value lower than the respective normal level”** as disclosed in Claims 44-46 and 66-67.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


James J. Groody
Supervisory Patent Examiner
Art Unit 262 2616